



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

DEC 31 2014

CT Corporation System
Registered Agent for:
Forest City SEFC, LLC and Forest City Washington, Inc.

1015 15th Street, N.W.
Suite 1000
Washington, D.C. 20005

Re: EPA Docket No. CWA-03-2015-0007
Administrative Complaint and Notice of Hearing for Opportunity

Dear Sir/Madam:

Enclosed is a document entitled "Administrative Complaint and Notice of Opportunity for Hearing," hereinafter referred to as the "Complaint." The United States Environmental Protection Agency, Region III (EPA or the Agency), has filed this Complaint against Forest City SEFC, LLC and Forest City Washington, Inc. (Respondents) under the authority of Section 309(g) of the Clean Water Act (the Act), 33 U.S.C. § 1319(g). In the Complaint, EPA alleges that Respondents have violated Section 301 of the Act.

Respondents may elect to resolve the penalty proceeding as set forth in the Complaint. Otherwise a response addressing each allegation in the Complaint must be filed within 30 days of receipt or, according to the rules governing this case, the allegations will be deemed admitted. See EPA's "Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits," 40 C.F.R. Part 22 (Consolidated Rules), a copy of which is enclosed with the Complaint. Failure to respond may result in the issuance of a Default Order and Respondents' preclusion from participating in further administrative hearings.

Respondents have the right to request a hearing regarding the violations alleged in the Complaint and the proposed administrative civil penalty. Such request should be included with the response to this Complaint and must also be made within 30 days of receipt of this Complaint.

Whether or not a hearing is requested, EPA invites Respondents to confer informally with the Agency concerning the alleged violations and the amount of the proposed penalty. Respondents may be represented by an attorney at any conference, whether in person or by telephone. An attorney from the Agency's Office of Regional Counsel will normally be present at any informal conference held.



EPA encourages all parties against whom it files a Complaint proposing assessment of a penalty to pursue the possibility of settlement through an informal conference. If such a mutually satisfactory settlement can be reached, it will be formalized by the issuance of a Consent Agreement signed by Respondents and by the Director of the Water Protection Division, EPA, Region III, and a Final Order signed by the Regional Administrator. The issuance of such a Consent Agreement and Final Order shall constitute a waiver by Respondents of their right to a hearing on, and a judicial appeal of, the agreed-upon civil penalty.

A request for an informal conference does not extend the 30-day period by which Respondents must request or waive a Hearing on the proposed penalty assessment and the two procedures can be pursued simultaneously.

In addition, Respondents may be required to disclose to the Securities and Exchange Commission ("SEC") the existence of certain administrative or judicial proceedings taken against the company under Federal, State or local environmental laws. Please see the enclosed "Notice of Securities and Exchange Commission Registrants' Duty to Disclose Environmental Legal Proceedings" for more information about this requirement and to aid you in determining whether your company is subject to the requirement.

The following is for Respondents' information, to the extent that Respondents may qualify as a "small business" under the Small Business Regulatory Enforcement and Fairness Act ("SBREFA"). Enclosed is a copy of the SBREFA Information Sheet. This Information Sheet provides information on contacting the SBREFA Ombudsman to comment on federal enforcement and compliance activities and also provides information on compliance assistance. As noted in the Information Sheet, any decision to participate in such program or to seek compliance assistance does not relieve Respondents of their obligation to respond in a timely manner to an EPA request or other enforcement action or create any new rights or defenses under law and will not affect EPA's decision to pursue this enforcement action. To preserve its legal rights, each Respondent must comply with all rules governing the administrative enforcement process. The Ombudsman and fairness boards do not participate in the resolution of EPA's enforcement action.

If Respondents wish to discuss the possibility of settlement of this matter, please contact Rebecca Crane, U.S. EPA Region III, NPDES Enforcement, 215-814-2389, or have your counsel contact Deane Bartlett, Senior Assistant Regional Counsel, 215-814-2776.

Sincerely,



Jon M. Capacasa, Director

Water Protection Division

U.S. Environmental Protection Agency, Region III

Enclosures

cc: Sheila Besse, Associate Director, DC DOE